# No. 106

# **MICHIGAN SENATE**

# **DAILY CALENDAR**

TUESDAY, DECEMBER 7, 2004 10:00 a.m.

MESSAGES FROM THE GOVERNOR			MESSAGES FROM THE GOVERNOR				
SB	195 Sen. Toy Local government; public services; certain city managed water and sewer systems; provide for regionalization of. Creates new act. Vetoed by Governor, Friday, March 21, 2003. For text of veto message, see Senate Journal No. 30 of 2003, page 341. Veto pending.	SB	540 Sen. Johnson Appropriations; supplemental; supplemental appropriations; provide for. Creates new act & repeals sec. 308 of 2003 PA 161. Approved by Governor, with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1614. Vetoed line items pending.				
SB	School aid; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week.  Amends sec. 101 of 1979 PA 94 (MCL 388.1701).  Vetoed by Governor, Monday, June 30, 2003.  For text of veto message, see Senate Journal No. 65 of 2003, page 1110.  Veto pending.	SB	283 Sen. Johnson Appropriations; other; family independence agency; provide for fiscal year 2003-2004. Creates new act & repeals sec. 413 of 2002 PA 529. Approved by Governor with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1615. Vetoed line items pending.				
SB	293 Sen. Bishop Law enforcement; other; public safety commissions; allow use of state radio towers by local units of government. Amends sec. 3 of 1929 PA 152 (MCL 28.283). Vetoed by Governor, Friday, July 11, 2003. For text of veto message, see Senate Journal No. 68 of 2003, page 1222. Veto pending.	SB	464 Sen. Allen Transportation; funds; Mackinac bridge authority; amend to provide toll rate cap. Amends sec. 2 of 1952 PA 214 (MCL 254.312). Vetoed by Governor, Monday, August 25, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1616. Veto pending.				
SB	265 Sen. Johnson Appropriations; zero budget; department of transportation; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Tuesday, August 12, 2003. For text of veto message, see Senate Journal No. 71 of 2003, page 1587. Vetoed line items pending.	SB	466 Sen. Barcia Transportation; motor fuel tax; advancements to Mackinac bridge authority; amend. Amends sec. 163 of 2000 PA 403 (MCL 207.1163). Vetoed by Governor, Monday, August 25, 2003. For text of veto message, see Senate Journal No. 72 of 2003, page 1616. Veto pending.				
SB	288 Sen. Johnson Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Thursday, August 7, 2003. For text of veto message, see Senate Journal No. 71 of 2003, page 1588.	SB	395 Sen. McManus Health; abortion; definition of legal birth; clarify. Creates new act. Vetoed by Governor, Friday, October 10, 2003. For text of veto message, see Senate Journal No. 84 of 2003, page 1835.				

Veto pending.

Vetoed line items pending.

# MESSAGES FROM THE GOVERNOR — 11 <del>—</del> SB 474 Sen. Garcia Financial institutions; other; regulation and licensing of deferred presentment service providers and transactions; provide for. Creates new act. Vetoed by Governor, Friday, January 9. For text of veto message, see Senate Journal No. 1, Veto pending. \_\_\_\_ 12 \_\_\_\_\_ SB 840 Sen. Stamas Economic development; other; small business czar; create. Creates new act. Vetoed by Governor, Tuesday, December 23, 2003. For text of veto message, see Senate Journal No. 107 of 2003, page 2377. Veto pending. — 13 ——— SB **785** Sen. Patterson Vehicles; license plates; procedures to establish and issue fund-raising plates; revise. Amends secs. 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l & 811n of 1949 PA 300 (MCL 257.217d et seq.); adds secs. 811m, 811o & 811p & repeals secs. 217m, 217n & 811c of 1949 PA 300 (MCL 257.217m et seq.) & repeals enacting section 1 of 2000 PA 77. Vetoed by Governor, Friday, March 5. For text of veto message, see Senate Journal No. 24, page 335. Veto pending. \_\_\_\_ 14 \_\_\_\_\_\_ SB **788** Sen. Hardiman Courts; judges; number of judgeships in the seventeenth judicial circuit; increase. Amends sec. 518 of 1961 PA 236 (MCL 600.518). Vetoed by Governor, Wednesday, April 7. For text of veto message, see Senate Journal No. 36, page 633. Veto pending. \_\_\_\_ 15 \_\_\_\_\_ SB 829 Sen. Sanborn Courts; circuit court; sixteenth judicial circuit; allow additional judgeship. Amends sec. 517 of 1961 PA 236 (MCL 600.517). Vetoed by Governor, Wednesday, April 7. For text of veto message, see Senate Journal No. 36, page 633. Veto pending.

# Amends sec. 517 of 1961 PA 236 (MCL 600.517). Vetoed by Governor, Wednesday, April 7. For text of veto message, see Senate Journal No. 36, page 633. Veto pending. 16 SB 841 Sen. Kuipers Economic development; other; manufacturing czar; create. Creates new act. Vetoed by Governor, Monday, April 12.

For text of veto message, see Senate Journal No. 36, page 634.

Veto pending.

#### MESSAGES FROM THE GOVERNOR

SB 1093 Sen. Brown

Single business tax; credit; percentage of compensation cost of credited jobs through 2009; provide for credit.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 37f.

Vetoed by Governor, Tuesday, May 18.

For text of veto message, see Senate Journal No. 49, page 887.

\_\_\_\_ 18 \_\_\_\_\_

Veto pending.

SB 863 Sen. Hardiman

Income tax; exemptions; start-up business; exempt from tax for tax years in which the business does not make a profit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 51f.

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

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SB 865 Sen. Bernero

Property tax; other; start-up businesses; exempt from tax under 1953 PA 189 for 5 years.

Amends 1953 PA 189 (MCL 211.181 - 211.182) by adding sec. 1a.

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

\_\_\_\_ 20 \_\_\_\_\_

SB 867 Sen. Van Woerkom

Taxation; specific property; start-up businesses in commercial forests; exempt for a certain period of time.

Amends sec. 51105 of 1994 PA 451 (MCL 324.51105).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

\_\_\_\_ 21 \_\_\_\_\_

**SB** 869 Sen. Birkholz

Economic development; plant rehabilitation; start-up businesses; exempt for certain period of time.

Amends sec. 11 of 1974 PA 198 (MCL 207.561).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

\_\_\_\_ 22 \_\_\_\_\_

Veto pending.

SB 872 Sen. Patterson

Economic development; other; start-up businesses in a technology park development; exempt for a certain period of time. Amends sec. 12 of 1984 PA 385 (MCL 207.712).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

# MESSAGES FROM THE GOVERNOR

\_\_\_\_ 23 \_\_\_\_\_

#### SB 875 Sen. Gilbert

Taxation; utility users; start-up businesses; exempt from tax for tax years in which the business does not make a profit.

Amends sec. 5, ch. 1 of 1990 PA 100 (MCL 141.1155).

Vetoed by Governor, Friday, May 28.

For text of veto message, see Senate Journal No. 54, page 973.

Veto pending.

\_\_\_\_ 24 \_\_\_\_\_

#### SB 647 Sen. Patterson

Labor; health and safety; definition of "wilful" MIOSHA violation; provide for and clarify procedure for obtaining interview statements during an inspection.

Amends secs. 6 & 29 of 1974 PA 154 (MCL 408.1006 & 408.1029) & adds sec. 32.

Vetoed by Governor, Tuesday, June 8.

For text of veto message, see Senate Journal No. 58, page 1059.

Veto pending.

\_\_\_\_ 25 \_\_\_\_\_

#### SB 320 Sen. Stamas

Labor; youth employment; youth employment standards; revise maximum number of hours, ending hour, and other general amendments.

Amends sec. 11 of 1978 PA 90 (MCL 409.111).

Vetoed by Governor, Monday, June 28.

For text of veto message, see Senate Journal No. 66, page 1270.

Veto pending.

\_\_\_\_ 26 \_\_\_\_\_

# SB 267 Sen. Johnson

Appropriations; zero budget; supplemental appropriation; provide for fiscal years 2003-2004 and 2004-2005.

Creates appropriation act & repeals sec. 1101 of 2003 PA 193 & sec. 313 of 2003 PA 155.

Approved by Governor with line items vetoed, Tuesday, August 17, 2004.

For text of veto message, see Senate Journal No. 86, page 1554.

Vetoed line items pending.

— 27 ——

# SB 1063 Sen. Johnson

Appropriations; zero budget; department of community health; provide for fiscal year 2004-2005.

Creates appropriation act.

Approved by Governor with line items vetoed, Wednesday, September 29, 2004.

For text of veto message, see Senate Journal No. 96, page 2074.

Vetoed line items pending.

#### MESSAGES FROM THE GOVERNOR

#### SB 1066 Sen. Johnson

Appropriations; zero budget; department of environmental quality; provide for fiscal year 2004-2005.

Creates appropriation act.

Approved by Governor with line items vetoed, Wednesday, September 29, 2004.

For text of veto message, see Senate Journal No. 96, page 2074.

Vetoed line items pending.

\_\_\_\_ 29 \_\_\_\_\_

# SB 145 Sen. Bishop

Highways; construction and repair; closing a road that services another community; allow for hearing.

Amends secs. 1 & 5 of 1969 PA 296 (MCL 247.851 & 247.855) & adds sec. 3a.

Vetoed by Governor, Friday, October 15.

For text of veto message, see Senate Journal No. 99, page 2120.

Veto pending.

\_\_\_\_ 30 \_\_\_\_\_

# SB 1279 Sen. Allen

Income tax; checkoff; Michigan state park endowment fund; provide for check-off option.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 437.

Vetoed by Governor, Friday, October 15.

For text of veto message, see Senate Journal No. 99, page 2121.

Veto pending.

<del>\_\_\_\_</del> 31 <del>\_\_\_\_\_</del>

# SB 953 Sen. Brown

State; funds; loans to certain farmers for qualified agricultural energy production; provide for.

Amends 1855 PA 105 (MCL 21.141 - 21.147) by adding sec. 2g.

Vetoed by Governor, Friday, November 19.

For text of veto message, see Senate Journal No. 103, page 2253.

Veto pending.

\_\_\_\_ 32 \_\_\_\_\_

# SB 955 Sen. Brown

Property tax; exemptions; methane digester and methane digester electric generating system; exempt.

Amends sec. 9 of 1893 PA 206 (MCL 211.9).

Vetoed by Governor, Friday, November 19.

For text of veto message, see Senate Journal No. 103, page 2253.

Veto pending.

#### MESSAGES FROM THE HOUSE

\_\_\_ 33 \_\_\_\_\_

#### **HB** 4206 Rep. Drolet

Local government; public services; certain city managed water and sewer systems; provide for regionalization of.

Creates new act.

Returned from House with House substitute (H-4) to Senate substitute (S-3), Thursday, September 23; laid over under the rules.

# SB 797 Sen. George

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of identity theft; establish.

Amends secs. 14h & 16o, ch. XVII of 1927 PA 175 (MCL 777.14h & 777.16o).

I.E. House, September 29, 2004.

House substitute (H-3) concurred in Wednesday, November 10; motion to reconsider vote pending.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_ 35 \_\_\_\_\_

# HB 4868 Rep. Jamnick

Mobile homes; owner's rights; manufactured home owners' residency act; create.

Creates new act.

I.E. House, June 17, 2004.

House substitute (H-5).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-5).

For Senate amendment, see Senate Journal No. 104, page 2273.

Committee recommended I.E.

# **HB** 6061 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

For Senate amendment, see Senate Journal No. 79, page 1495.

\_\_\_\_ 37 \_\_\_\_\_

# **HB** 5670 Rep. Pappageorge

Administrative procedure; joint committee; procedure for objecting to rules; modify.

Amends secs. 24, 41, 42, 45, 45a, 51 & 52 of 1969 PA 306 (MCL 24.224 et seq.).

I.E. House, March 24, 2004.

— 38 ———

# **HB** 6226 Rep. Howell

Courts; court of appeals; location of offices of judges of court of appeals; prescribe.

Amends sec. 303d of 1961 PA 236 (MCL 600.303d).

I.E. House, September 29, 2004.

Reported by Committee on Judiciary.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_ 39 \_\_\_\_\_

#### **HB** 6310 Rep. Howell

Children; guardians; provision regarding guardian ad litem; revise.

Amends secs. 13a, 13b, 17d, 18, 19, 19a & 19c, ch. XIIA of 1939 PA 288 (MCL 712A.13a et seq.).

I.E. House, November 10, 2004.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

# **HB** 6338 Rep. Howell

Property tax; special assessments; population limit for cities levying police and fire special assessment; increase.

Amends title & secs. 10 & 11 of 1951 PA 33 (MCL 41.810 & 41.811).

I.E. House, November 30, 2004.

House substitute (H-1).

Reported by Committee on Commerce and Labor.

Senate substitute (S-3).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 41 —

# HB 4804 Rep. Shulman

State; funds; budget stabilization fund expenditures; modify.

Amends secs. 353c, 353e & 358 of 1984 PA 431 (MCL 18.1353c et seq.).

I.E. House, June 19, 2003.

For House amendment, see House Journal No. 54 of 2003, page 924.

Reported by Committee on Appropriations.

Senate substitute (S-2).

Committee recommended I.E.

#### SB 479 Sen. Basham

Transportation; school vehicles; local school district authority to determine location and number of school bus stops within a manufactured housing park; allow.

Amends sec. 9 of 1990 PA 187 (MCL 257.1809).

Reported by Committee on Education.

Committee recommended I.E.

#### **HJR G** Rep. Garfield

State; employees and officers; hiring for civil service position; provide preferential treatment to veterans.

Amends sec. 5, art. XI of the state constitution.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

#### SB 856 Sen. Cropsey

Environmental protection; recycling; comprehensive study of state's litter problem and marketing program to reduce littering; create.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 8911, 8913 & 8915.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

#### **SJR H** Sen. Kuipers

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

Reported by Committee on Education.

Senate substitute (S-1).

— 46 ———

#### **SB** 1106 Sen. Johnson

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2004-2005.

Creates appropriation act.

Reported by Committee on Appropriations.

Committee recommended I.E.

# **HB 5643** Rep. LaJoy

Single business tax; other; consolidated filing of single business tax return; modify.

Amends sec. 77 of 1975 PA 228 (MCL 208.77).

I.E. House, April 1, 2004.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

# HB 4234 Rep. Steil

Property tax; personal property; personal property with a taxable value of less than \$10,000.00; exempt.

Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 9j.

I.E. House, May 13, 2004.

House substitute (H-4).

For House amendment, see House Journal No. 42, page 952.

Reported by Committee on Finance.

Committee recommended I.E.

# SB 1168 Sen. Johnson

Transportation; funds; bond issuing process; revise. Amends sec. 18b of 1951 PA 51 (MCL 247.668b).

Reported by Committee on Appropriations.

Committee recommended I.E.

#### **GENERAL ORDERS**

— 50 ——

#### SB 1163 Sen. Johnson

Transportation; funds; funding formula; revise. Amends sec. 10 of 1951 PA 51 (MCL 247.660).

Reported by Committee on Appropriations.

Committee recommended I.E.

— 51 ——

# **SB** 1147 Sen. Johnson

Transportation; other; approval requirement for 5-year plan; provide for in the state transportation commission act. Amends sec. 6a of 1964 PA 286 (MCL 247.806a) & adds

sec. 6b.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

# SB 1324 Sen. Kuipers

Taxation; administration; collection of certain state taxes from certain individuals doing business with certain Indian tribes; modify.

Amends sec. 30c of 1941 PA 122 (MCL 205.30c).

Reported by Committee on Finance.

Committee recommended I.E.

53

# SB 1255 Sen. McManus

Sales tax; collections; definition of charitable auction prices; clarify.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 54 \_\_\_\_\_

# HB 5055 Rep. Ward

Environmental protection; water pollution; soil erosion and sedimentation control; restrict fees under certain circumstances.

Amends secs. 9105, 9106 & 9112 of 1994 PA 451 (MCL 324.9105 et seq.).

I.E. House, July 14, 2004.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

— 55 ——

#### HB 5030 Rep. Walker

Land use; other; agricultural security areas; provide for. Amends pt. heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.

I.E. House, June 30, 2004.

House substitute (H-2).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-2).

#### **HB 6127** Rep. Nofs

Economic development; tax increment financing; historical neighborhood tax increment finance authority; create.

Creates new act.

I.E. House, September 29, 2004.

Reported by Committee on Commerce and Labor. Committee recommended I.E.

— 57 ——

# HB 4231 Rep. Koetje

Vehicles; abandoned; procedure for court officer involvement regarding the sale of abandoned vehicles; provide for. Amends secs. 252a, 252b, 252d & 252g of 1949 PA 300

(MCL 257.252a et seq.).

House substitute (H-3).

I.E. House, August 4, 2004.

Reported by Committee on Transportation.

Committee recommended I.E.

— 58 —

# **HB** 5364 Rep. Daniels

Vehicles; abandoned; failure to pay fines, charges, and costs on an abandoned vehicle; prohibit reinstatement of driving privileges.

Amends secs. 252g & 907 of 1949 PA 300 (MCL 257.252g & 257.907); adds secs. 252h, 252i, 252j, 252k, 252l, 252m, 252n, 252o, 252p, 252q & 252r & repeals secs. 252a, 252b, 252c, 252d, 252e & 252f of 1949 PA 300 (MCL 257.252a et seq.).

I.E. House, June 24, 2004.

House substitute (H-5).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 59 \_\_\_\_\_

# **HB** 6085 Rep. Newell

Corrections; employees; certain employees of the department of community health; provide for transfer to employment as state correctional officers.

Amends sec. 12 of 1982 PA 415 (MCL 791.512).

I.E. House, September 29, 2004.

For House amendment, see House Journal No. 83, page 2382.

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

60

# **HB** 6077 Rep. Tobocman

Housing; housing development authority; references to internal revenue code; revise.

Amends secs. 11, 32b, 44 & 44a of 1966 PA 346 (MCL 125.1411 et seq.).

I.E. House, September 29, 2004.

House substitute (H-1).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

#### **GENERAL ORDERS**

<del>-----</del> 61 <del>-------</del>

# **HB** 5637 Rep. Hoogendyk

Health facilities; other; matching grant program for the purchase of ultrasound machines by certain entities; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9141.

I.E. House, June 9, 2004.

House substitute (H-1).

Reported by Committee on Health Policy.

Committee recommended I.E.

62 —

# **HB** 6008 Rep. Hager

Children; adoption; abused or neglected adoption cases; revise requirements for hearings on certain motions.

Amends sec. 45, ch. X of 1939 PA 288 (MCL 710.45).

I.E. House, July 6, 2004.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

63 —

# HB 6009 Rep. Hager

Children; services; Michigan children's institute; transfer to department of management and budget.

Amends sec. 2 of 1935 PA 220 (MCL 400.202) & adds sec. 1a.

I.E. House, July 6, 2004.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

<del>-----</del> 64 <del>------</del>

#### **HB** 6010 Rep. Hardman

Children; adoption; petition for adoption; clarify jurisdiction and standing issues.

Amends secs. 21a, 22, 23a, 23d, 24, 24a & 60, ch. X of 1939 PA 288 (MCL 710.21a et seq.).

I.E. House, July 6, 2004.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

—— 65 —

# SB 486 Sen. Garcia

Property tax; assessments; value based tax system for mobile homes; establish.

Amends title & secs. 35, 41, 42 & 43 of 1959 PA 243 (MCL 125.1035 et seq.).

Reported by Committee on Finance.

Senate substitute (S-2).

— 66 ——

#### **HB 5920** Rep. Kooiman

Transportation; motor carrier fuel tax; provision regarding joint and several liability between lessors and lessees for fuel taxes on commercial motor vehicles; eliminate.

Amends sec. 8 of 1980 PA 119 (MCL 207.218).

I.E. House, September 29, 2004.

Reported by Committee on Transportation.

Committee recommended I.E.

# HB 5194 Rep. Sheltrown

Natural resources; other; election for the directors of the conservation district; allow for by mail-in absentee ballot.

Amends sec. 9307 of 1994 PA 451 (MCL 324.9307).

I.E. House, December 16, 2003.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

— 68 ———

# HB 5870 Rep. Richardville

Natural resources; other; Michigan conservation and recreation legacy fund and game and fish protection trust fund; implement constitutional amendment.

Amends secs. 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43704, 44105, 45705, 45907, 47303, 47332, 48737, 48740, 64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104 & 83106 of 1994 PA 451 (MCL 324.502 et seq.); amends headings of pts. 437 & 711; adds pt. 20 & repeals secs. 71104, 71107, 78101 & 81118 of 1994 PA 451 (MCL 324.71104 et seq.)

I.E. House, July 14, 2004.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

<del>-----</del> 69 <del>--------</del>

#### **HB 6235** Rep. Kolb

Natural resources; trust funds; capital expenditure grant;

Amends secs. 16901 & 16908 of 1994 PA 451 (MCL 324.16901 & 324.16908).

I.E. House, November 10, 2004.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

<del>-----</del> 70 <del>-------</del>

# **HB** 6243 Rep. Casperson

Natural resources; mining; nonferrous metallic mining and reclamation; regulate.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 632.

I.E. House, November 10, 2004.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

# HB 6295 Rep. Pappageorge

Land use; land division; land division act; revise to allow nonjudicial process for extinguishing certain platted easements.

Amends sec. 222 of 1967 PA 288 (MCL 560.222) & adds sec. 222a.

I.E. House, November 10, 2004.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

# **HJR Z** Rep. Richardville

Natural resources; inland lakes; Michigan conservation and recreation legacy fund and game and fish protection trust fund; establish in constitution.

Amends secs. 40 & 41, art. IX of the state constitution.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

# HB 4969 Rep. Condino

Human services; services or financial assistance; individual development account program for certain individuals; increase asset disregard amount.

Amends sec. 57k of 1939 PA 280 (MCL 400.57k).

I.E. House, February 5, 2004.

House substitute (H-2).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

### **HB** 5116 Rep. Richardville

Health; other; lead safe housing registry; create.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 5474a.

I.E. House, February 18, 2004.

House substitute (H-1).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

— 75 ——

#### **HB** 5372 Rep. Garfield

Children; support; bond requirements for felony nonsupport; increase.

Amends sec. 31 of 1982 PA 295 (MCL 552.631).

I.E. House, March 17, 2004.

House substitute (H-1).

Reported by Committee on Families and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

# **HB 5373** Rep. Nofs

Children; support; bond requirements for felony nonsupport; increase.

Amends sec. 165 of 1931 PA 328 (MCL 750.165).

I.E. House, March 17, 2004.

Reported by Committee on Families and Human Services.

Committee recommended I.E.

# HB 4096 Rep. Hager

Children; protection; children's ombudsman; clarify duties.

Amends title & secs. 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11 of 1994 PA 204 (MCL 722.922 et seq.) & repeals secs. 13, 14 & 15 of 1994 PA 204 (MCL 722.933 et seq.).

I.E. House, June 12, 2003.

House substitute (H-4).

Reported by Committee on Families and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

# **HB** 4586 Rep. Vander Veen

Children; protection; child protection records of children who died while under care of state; eliminate confidentiality. Amends secs. 5, 7 & 8 of 1975 PA 238 (MCL 722.625 et seq.).

I.E. House, June 10, 2003.

House substitute (H-1).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

#### **HB** 5417 Rep. Clack

Human services; services or financial assistance; work first program; eliminate sunset.

Repeals sec. 14i of 1939 PA 280 (MCL 400.14i).

I.E. House, July 14, 2004.

For House amendment, see House Journal No. 65, page 1693.

Reported by Committee on Families and Human Services.

Committee recommended I.E.

#### RESOLUTIONS

# SR 175 Sen. Barcia

A resolution urging United States trade negotiators to support our nation's sugar industry.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 86 of 2003, page 1866.

Adoption pending.

— 81 ———

# SR 139 Sen. Hardiman

A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.

Reported by Committee on Families and Human Services.

For text of resolution, see Senate Journal No. 71 of 2003, page 1597.

Adoption pending.

<del>------</del> 82 ------

#### SR 241 Sen. Brown

A resolution to memorialize the President and the Congress of the United States to take steps to stabilize the steel market in this country, including such measures as establishing a temporary quota on scrap steel exports in order to ensure the availability of this raw material for domestic market needs and help contain escalating prices.

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

For text of resolution, see Senate Journal No. 38, page 687.

Adoption pending.

<del>-----</del> 83 ------

# SCR 40 Sen. Basham

A concurrent resolution to express support for the aims of the Continued Dumping and Subsidy Offset Act and the efforts of the President and the Congress of the United States to oppose a recent ruling of the World Trade Organization.

Reported by Committee on Commerce and Labor. For text of resolution, see Senate Journal No. 22, page

Adoption pending.

\_\_\_\_ 84 \_\_\_\_\_

# SR 304 Sen. Barcia

A resolution to urge the Department of Community Health to extend its moratorium on transferring forensic mental health patients to local facilities and on issuing ground passes until public safety measures are fully established and to work with the state's courts to address this is-

Reported by Committee on Judiciary.

For text of resolution, see Senate Journal No. 102, page 2236.

Adoption pending.

# **COMMITTEE REPORTS**

— 85 ——

#### **HB** 5551 Rep. Ward

Property tax; other; collection of overdue taxes on exempt property leased to a for profit business; revise.

Amends sec. 2 of 1953 PA 189 (MCL 211.182).

I.E. House, June 8, 2004.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

HB 5724 Rep. Palmer Property tax; payment and collection; return of taxes collected and disbursed by local tax collecting unit under certain circumstances; provide for.

Amends 1893 PA 206 (MCL 211.1 - 211.157) by adding sec. 52a.

I.E. House, June 15, 2004.

For House amendment, see House Journal No. 55,

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **HB** 5725 Rep. Palmer

Property tax; other; industrial facilities tax; amend to include the date in which a lien is attached to the real or personal property.

Amends sec. 13 of 1974 PA 198 (MCL 207.563).

I.E. House, June 15, 2004.

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# **HB** 6036 Rep. Wenke

Property tax; exemptions; property owned by a charitable organization for conservation purposes and open to the general public for recreational use; exempt.

Amends sec. 70 of 1893 PA 206 (MCL 211.70).

I.E. House, August 4, 2004.

For House amendments, see House Journal No. 72, page 1308.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 89 ———

#### **HB** 5726 Rep. Palmer

Property tax; payment and collection; return of taxes collected and remitted to the department of treasury by local tax collecting unit under certain circumstances; provide for.

Amends sec. 5 of 1993 PA 331 (MCL 211.905).

I.E. House, June 15, 2004.

For House amendment, see House Journal No. 55, page 1308.

Reported by Committee on Finance.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 90 \_\_\_\_

#### HB 5668 Rep. Julian

Taxation; tobacco; penalties for counterfeit tobacco products; provide for.

Amends secs. 2 & 8 of 1993 PA 327 (MCL 205.422 & 205.428).

I.E. House, November 30, 2004.

House substitute (H-5).

Reported by Committee on Commerce and Labor.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>\_\_\_\_\_</del> 91 <del>\_\_\_\_\_\_</del>

#### HB **6245** Rep. Middaugh

Health facilities; hospitals; medicare rural hospital flexibility program; designate certain hospitals as rural.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21571.

I.E. House, November 10, 2004.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>\_\_\_\_\_</del> 92 <del>\_\_\_\_</del>

# HCR 68 Rep. Taub

A concurrent resolution to memorialize the Congress of the United States and the Department of Health and Human Services to establish the NorthEast Detroit Community Health Center as a federally qualified health care center.

Reported by Committee on Health Policy.

For text of resolution, see Senate Journal No. 95, page

Refer to Resolutions pursuant to Rule 3.106.

#### **COMMITTEE REPORTS**

— 93 ———

#### **HB** 6102 Rep. Newell

State agencies (existing); community health; statewide trauma care system; establish, implement, and promulgate rules

Amends sec. 20910 of 1978 PA 368 (MCL 333.20910).

I.E. House, November 10, 2004.

House substitute (H-3).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>-----</del> 94 <del>-------</del>

# HB 6103 Rep. Newell

Health facilities; emergency medical services; statewide trauma care system; define.

Amends sec. 20908 of 1978 PA 368 (MCL 333.20908).

I.E. House, November 10, 2004.

Reported by Committee on Health Policy.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>-----</del> 95 ------

# **HB** 6104 Rep. Newell

Health facilities; emergency medical services; statewide trauma care system; establish minimum components.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 20917a.

I.E. House, November 10, 2004.

House substitute (H-2).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 96 ———

# **HB** 5205 Rep. Richardville

Occupations; health care professions; licensure of acupuncturists; provide for.

Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16322 & pt. 165.

I.E. House, November 10, 2004.

House substitute (H-3).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 97 ———

#### **HB** 5408 Rep. Vander Veen

Occupations; health care professions; nutritionists and dietitians; provide for state licensure and title protection.

Amends secs. 16131 & 16263 of 1978 PA 368 (MCL 333.16131 & 333.16263) & adds sec. 16346 & pt. 183A.

I.E. House, November 30, 2004.

House substitute (H-3).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 98 \_\_\_\_\_

# **HB** 4817 Rep. Farhat

Liens; mortgages; deadline for filing a discharge of mortgage with register of deeds and penalties for noncompliance; revise.

Amends secs. 41 & 44 of 1846 RS 65 (MCL 565.41 & 565.44).

I.E. House, July 14, 2004.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# **HB** 5833 Rep. Milosch

Financial institutions; generally; common trust fund act; provide for general amendments and expand to include collective investment funds.

Amends title & secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13 of 1941 PA 174 (MCL 555.101 et seq.) & adds secs. 4a & 5a.

I.E. House, September 29, 2004.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 100 \_\_\_\_\_

#### **HB 6284** Rep. Palsrok

Financial institutions; credit unions; general amendments; provide for.

Amends secs. 102, 104, 201, 203, 212, 214, 217, 234, 301, 302, 304, 307, 331, 341, 342, 345, 352, 357, 371, 373, 374, 382, 386, 401, 402, 407 & 423 of 2003 PA 215 (MCL 490.102 et seq.).

I.E. House, November 10, 2004.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

#### **HB 6046** Rep. Ward

Construction; code; code book; require to be made available to public for at least 90 days before enforcement of code

Amends sec. 4 of 1972 PA 230 (MCL 125.1504).

I.E. House, September 15, 2004.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **HB 6164** Rep. Ward

Local government; other; authority for local municipality to enter into a contract with a private developer; allow.

Amends 1921 PA 207 (MCL 125.581 - 125.600) by adding sec. 4g.

I.E. House, September 29, 2004.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### HB 6166 Rep. Ruth Johnson

Local government; other; authority for counties to enter into a contract with a private developer; allow.

Amends 1943 PA 183 (MCL 125.201 - 125.240) by adding sec. 16i.

I.E. House, September 29, 2004.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 104 \_\_\_\_\_

# **HB 6206** Rep. LaJoy

Townships; other; authority for townships to enter into a contract with a private developer; allow.

Amends 1943 PA 184 (MCL 125.271 - 125.310) by adding sec. 16i.

I.E. House, September 29, 2004.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

# **HB** 6033 Rep. Drolet

State; historic sites; Ronald Wilson Reagan memorial monument fund: create.

Creates new act.

I.E. House, July 6, 2004.

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 106 ——

# HB 6020 Rep. Rocca

Holidays; "Police Officers Memorial Day"; establish. Creates new act.

I.E. House, August 4, 2004.

For House amendment, see House Journal No. 72, page 1775.

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 107 \_\_\_\_\_\_

# HB 5875 Rep. Moolenaar

Education; financing; inapplicability of certain requirements for school district purchasing if school district makes purchase through cooperative program with state; provide for.

Amends secs. 623a & 1274 of 1976 PA 451 (MCL 380.623a & 380.1274).

I.E. House, June 9, 2004.

Reported by Committee on Education.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 108 \_\_\_\_\_

# **HB 5913** Rep. LaJoy

State; purchasing; cooperative purchasing program between public schools and the department of management and budget; create.

Amends sec. 263 of 1984 PA 431 (MCL 18.1263).

I.E. House, June 9, 2004.

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# **HB** 6242 Rep. Caswell

Higher education; community colleges; election of trustee by annexed school district; limit to annexations occurring before July 1, 2004.

Amends sec. 41 of 1966 PA 331 (MCL 389.41).

I.E. House, November 10, 2004.

Reported by Committee on Education.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# SCHEDULED MEETINGS

# **Appropriations -**

# Subcommittee -

K-12, School Aid and Department of Education and Education Committees, Senate/House - Tuesday, December 7, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Commerce and Labor -** Tuesday, December 7, 3:00 p.m., Room 100, Farnum Building (373-2413)

# **SCHEDULED MEETINGS**

**Education and K-12, School Aid and Department of Education Subcommittees, Senate/House -** Tuesday, December 7, 12:00 noon, House Appropriations Room, 3rd Floor, Capitol Building (373-6920)

**Families and Human Services -** Tuesday, December 7, 8:30 a.m., Room 405, Capitol Building (373-1801)

**Technology and Energy -** Wednesday, December 8, 3:00 p.m., Room 210, Farnum Building (373-7350)

BILLS IN CONFERENCE									
	Brief Title	Confere	Report Agreed To						
Bill No.		Senate	House	Senate	House				
SB 727	Children; parenting time; grandparent visitation; revise to place burden of proof on the petitioning grandparent and require the court to give deference to a fit parent's actions and decisions.	Sanborn Patterson Clark-Coleman	Howell Gaffney Lipsey						
SB 1105	Property tax; other; payments in lieu of taxes on certain state lands; revise payment and valuation procedures.	McManus Johnson Prusi	Walker Pumford Brown						
HB 4610	Gaming; horse racing; video lottery; allow at horse racetracks.	Sikkema Hammerstrom Emerson	Julian Meyer Minore						